

REMARKS

Claims 1-15 and 17-22 are pending and are rejected under 35 U.S.C. 103 (a) as being unpatentable over Hyponnen (2003/0191957) further in view of Liang (2003/0208687).

The claimed invention has several features that are not disclosed, taught, or suggested in the Hyponnen or Liang references, alone or in combination. For example, the claimed invention recites a virus monitor that collects “network environment data” and assigns itself an IP address. The claims also recite that the virus monitor locates a controller and registers itself with the controller. By doing so, the virus monitor obtains a rule set and an outbreak prevention policy (“OPP”) from the controller.

In contrast to the claimed invention, Hyponnen discloses “intercepting” data, instead of copying the data, and re-routing it to a virus scanning server. The data is scanned “on the fly” by a scanning server. Data that is not suspected of having a virus is passed over and not intercepted. If a virus is found in the data, it is removed and the disinfected data is sent back to the network. If it cannot be disinfected, it is placed in quarantine at the virus scanning server. As noted above, the claimed invention recites a virus monitor that collects network environment data and assigns an IP address to the monitor.

Also in contrast to the claimed invention, Liang discloses transitions between numerous operational modes (e.g., continuous service mode, maintenance mode, idle mode, etc.). It does not disclose the two specific modes recited in the claims, 1) where data is copied and the copied data is analyzed for virus (stand-by mode) and 2) a mode where the data is not copied, and the original data is analyzed for a virus (inline mode). Liang also does not disclose obtaining network environment data and assigning an IP address to the virus monitor. Nor does it disclose a virus monitor locating a controller and registering itself with the controller. Liang discloses the display of different type of data, namely, information on upgrade options from which a user can select an upgrade. Limitations of the claimed invention described above are not taught, shown, or suggested by the upgrade option display feature taught in Liang. For example, this upgrade option display does not address collecting network environment data or locating a controller to get a rule set and outbreak prevention policy (OPP) from the controller.

With respect to the insufficient Terminal Disclaimer, Applicant's representative (specifically, Rupak Nag, a registered agent with Beyer Weaver LLP) is part of Customer Number 22434, which has been given Power of Attorney to prosecute this case. (Please see attached documents). If there is an additional requirement for empowering Rupak Nag to allow him to sign the Terminal Disclaimer on behalf of the Applicant, Examiner is kindly requested to contact Applicant's representative at the number below. We are willing to follow any other procedural requirements but are unaware of any other than the initial Power of Attorney filed when the Application was filed. It is our understanding that a registered agent, specifically, Rupak Nag as a registered agent with Beyer Weaver LLP associated with Customer Number 22434, is empowered and eligible to sign Terminal Disclaimers on behalf of the Applicant based upon the documents submitted.

Applicant believes that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,
BEYER LAW GROUP LLP

/Rupak Nag/

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